

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION  
FINAL TRANSPORTATION ORDERS  
Selected for Publication  
October 2004

October 28, 2004

In re Application No. D-079257 of

DOCKET NO. TC-040369

MUHLBAIER, BARRY & AMY, d/b/a  
A & B SPECIALIZED  
TRANSPORTION,

ORDER NO. 02

For a Certificate of Public Convenience  
and Necessity to Operate Motor  
Vehicles in Furnishing Passenger and  
Express Service as an Auto  
Transportation Company

FINAL ORDER GRANTING  
APPLICATION FOR A CERTIFICATE  
OF PUBLIC CONVENIENCE AND  
NECESSITY

The Commission may not grant an application for authority to serve in a territory served by another carrier until after a hearing in which it finds: (1) that the new service is required by the public convenience and necessity; and (2) that the existing carrier will not serve to the Commission's satisfaction. *¶¶ 8-9; RCW 81.68.040.*

Convenience, directness, and speed are essential characteristics of airporter passenger service. The Commission will give substantial weight to those factors in its determination that service is satisfactory and that the public convenience and necessity determination will be served. *¶ 9; In re Sharyn Pearce & Linda Zepp, d/b/a*

*Centralia SeaTac Airport Express, App. No. D-76533, Order No. M.V.C. No. 2057 (June 1994); In re CWA, Inc., d/b/a Central Washington Airporter, App. No. D-079116, Docket No. TC-021402 (April 2003).*

The issue of satisfactory service “is not whether more persons like the service than dislike it or find it satisfactory or not, but whether the service is meeting the needs of the public.” ¶ 10; *In re Bremerton-Kitsap Airporter, Inc. d/b/a Bremerton-Kitsap Airporter, et al; Hearing No. D-2444, Order M.V.C. No 1457 (August 1984).*

Failure to meet the real needs of travelers is a sufficient basis for finding that a carrier has failed to provide service to the Commission’s satisfaction under RCW 81.68.040. ¶ 10; *In re Sharyn Pearson & Linda Zepp; In re CWA, Inc., supra.*